



United States Patent and Trademark Office

NEWS

[Home](#) [Site Index](#) [Search](#) [FAQ](#) [Glossary](#) [Guides](#) [Contacts](#) [eBusiness](#) [eBiz alerts](#) [News](#) [Help](#)**Press Releases > USPTO Town Hall Meeting Focuses on Proposed Rule Changes to Improve Patent Examination****PRESS RELEASE**

Contact:

Brigid Quinn or Ruth Nyblod

571-272-8400

brigid.quinn@uspto.govruth.nyblod@uspto.gov

February 1, 2006

#06-07

USPTO Town Hall Meeting Focuses on Proposed Rule Changes to Improve Patent Examination

Chicago, IL – The Commerce Department's United States Patent and Trademark Office (USPTO) today provided an audience of Chicago-area patent attorneys, patent agents, independent inventors and members of the small business community with background information regarding proposed new rule changes. Commissioner for Patents John Doll and James Toupin, the agency's general counsel, discussed the challenges the USPTO faces and the reasons why the proposed new rules limiting claims and rework are necessary.

Specifically, these initiatives will prioritize the claims reviewed during the examination process and better focus the agency's examination of patent applications by requiring applicants to identify the most important claims to the invention.

The recognized value of patents to innovation has led to enormous increases in the number of patent applications filed each year. Since the USPTO's resources have not increased at the same rate as filings, it has become much more difficult to provide reliable, consistent and prompt patentability decisions. Delay in granting a patent can slow new products coming to market, and issuing patents for inventions that are not novel and non-obvious can impede competition and economic growth. Simply hiring more patent examiners will not slow the growth in the time it takes to get a patent or improve the quality of examination. This will occur only through the participation of applicants in facilitating more effective and efficient patent examination.

"Improving the patent process will take everyone working together—applicants and the USPTO," Under Secretary of Commerce for Intellectual Property and Director of the U.S. Patent and Trademark Office Jon Dudas noted earlier. "Better quality applications mean better examination. We need more focus throughout and closure to the examination process."

In FY 2004, almost one-third of the 355,000 new patent applications had already been reviewed and rejected by the USPTO, but applicants resubmitted them mostly with only minor changes. Also, over 40% of new applications in FY 2004 had more than 20 claims. These practices waste the limited time examiners have to review an application and prevent examiners from focusing on the most important issues in an application.

In the past two years, the USPTO has instituted a number of measures to improve patent quality and also has implemented new metrics to measure the results. Results indicate that quality is improving. The percentage of patent examiners certified for promotion to full performance level increased from 59% in FY 2004 to 70% in FY 2005. The number of office actions complying with applicable laws and rules during examination improved to 86.2% from 82% the previous year. The compliance rate for final allowances improved from 94.8% to 96% from FY 2004 to FY 2005.

The proposed new rules can be found at <http://www.uspto.gov/web/offices/com/sol/notices/71fr48.pdf> and <http://www.uspto.gov/web/offices/com/sol/notices/71fr61.pdf>. PDF viewer is required for these documents.

Additional Town Hall Meetings are being planned for California, Texas, and Washington, D.C.

###

ATTACHMENT "A"

<http://www.uspto.gov/web/offices/com/speeches/06-07.htm>

2/9/2006